

OCT 04 2004

**WOOD, HERRON & EVANS, L.L.P.**

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OHIO 45202-2817  
TELEPHONE: 513-241-2324  
FACSIMILE: 513-241-6234  
EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, PH.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, PH.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND (VA, DC BAR ONLY)  
STEVEN W. BENINTENDI, PH.D.  
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS  
HENRY M. LABODA, PH.D.

October 1, 2004

**FACSIMILE COVER SHEET**

To: Examiner Sargon N. Nano  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission (2 pages)  
Amendment and Response (11 pages)

From: Scott A. Stinebruner  
Reg. No. 38,323

Re: U.S. Patent Application  
Serial No. 09/845,596  
Filed: April 30, 2001  
Applicant: Robert Miller et al.  
Art Unit: 2157  
Confirmation No.: 3237  
Our Ref: IBM/177

Pages: 14 (including cover sheet)

**MESSAGE/COMMENTS  
OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (14 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Sargon N. Nano, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on October 1, 2004.

*Judith L. Volk*  
Judith L. Volk

*October 1, 2004*  
Date

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**PATENT**

Att'y Docket No. IBM/177/124  
Confirmation No. 3237

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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*Judith L. Volk*  
Judith L. Volk

*October 1, 2004*  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Robert Miller et al.	<b>Art Unit:</b>	2157
<b>Serial No.:</b>	09/845,596	<b>Examiner:</b>	Sargon N. Nano
<b>Filed :</b>	April 30, 2001		
<b>For :</b>	GROUP ACCESS PRIVATIZATION IN CLUSTERED COMPUTER SYSTEM		

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	27	minus	27	0	\$18	\$0.00
Independent Claims	4	minus	4	0	\$88	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$300	\$0.00
<b>TOTAL FEE FOR CLAIMS:</b>						<b>\$0.00</b>

- ☒ No additional fee for claims is required.

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 430.00	\$ 215.00
<input type="checkbox"/>	three months	\$ 980.00	\$ 490.00
<input type="checkbox"/>	four months	\$1,530.00	\$ 765.00
<input type="checkbox"/>	five months	\$2,080.00	\$1,045.00

Extension fee due with this request:

\$ \_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

**OR**

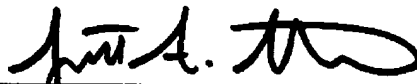
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner  
Reg. No. 38,323

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202-2917  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234

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CENTRAL FAX CENTER****OCT 04 2004**

PATENT

IBM/177  
Confirmation No. 3237**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Robert Miller et al.	Art Unit:	2157
Serial No.:	09/845,596	Examiner:	Sargon N. Nano
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**AMENDMENT AND RESPONSE**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 1, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.